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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

In re JOEY Q., Person Coming Under the
Juvenile Court Law.

FRESNO COUNTY DEPARTMENT OF
SOCIAL SERVICES,

Plaintiff and Respondent,

v.

MARY J.,

Defendant and Appellant.

F070667

(Super. Ct. No. 07CEJ300280-1)

OPINION

THE COURT*

APPEAL from an order of the Superior Court of Fresno County. Brian M. Arax,
Judge.

Shaylah Padgett-Weibel, under appointment by the Court of Appeal, for
Defendant and Appellant.

No appearance for Plaintiff and Respondent.

-ooOoo-

* Before Levy, Acting P.J., Detjen, J., and Peña, J.

This is an appeal from an order after a hearing under Welfare and Institutions Code section 388¹ terminating the legal guardianship of Mary J. over her eight-year-old grandson, Joey Q. At the time of that hearing, Joey had been removed from Mary's custody on a supplemental petition (§ 387), which the juvenile court had sustained.

Mary's appellate counsel filed a "no issues statement" pursuant to *In re Phoenix H.* (2009) 47 Cal.4th 835 (*Phoenix H.*) and we granted Mary leave to file a letter setting forth a good cause showing that an arguable issue of reversible error does exist. Mary submitted a letter questioning the necessity of removing Joey from her custody and the basis for the juvenile court's order terminating the guardianship.

We briefly summarize the facts. Mary has been Joey's legal guardian since Joey was two years old. In June 2014, Mary allowed Joey's father, Jose (Mary's son), to live in her home in violation of a court order. Joey's mother, Melissa, informed the social services department, which took Joey, then seven, into protective custody. The juvenile court sustained a section 387 petition, finding that Joey's placement with Mary had proven ineffective. Meanwhile, Joey's mother, Melissa, moved for termination of the guardianship under section 388 supported by evidence that she rehabilitated herself and had assumed a parent/child relationship with Joey. Mary was represented by counsel during the proceedings and testified.

In her letter, Mary takes issue with the way in which Joey was taken from her custody and placed with Melissa. She claims Jose was only with her temporarily and did not endanger Joey. She claims Melissa and the department colluded to remove Joey from her. She questions how Joey could be so easily taken from her when she cared for him all those years.

¹ All statutory references are to the Welfare and Institutions Code.

Though we are not required to, we have reviewed the record as it relates to the hearings on sections 387 and 388 and we have found no arguable issues for briefing. (*Phoenix H.*, *supra*, 47 Cal.4th at pp. 841-842.) Accordingly, we dismiss this appeal.

DISPOSITION

This appeal is dismissed.